

House Bill 959 (AS PASSED HOUSE AND SENATE)

By: Representative Benton of the 31<sup>st</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend an Act to provide a new charter for the Town of Arcade, approved April 5, 1995  
2 (Ga. L. 1995, p. 4024), so as to provide for staggered terms of office for members of the city  
3 council; to provide for related matters; to repeal conflicting laws; and for other purposes.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

5 **SECTION 1.**

6 An Act to provide a new charter for the Town of Arcade, approved April 5, 1995  
7 (Ga. L. 1995, p. 4024), is amended by revising Section 2.11 as follows:

8 "SECTION 2.11.

9 City councilmembers; terms and qualifications for office.

10 Except as otherwise provided in Section 5.11 of this charter, the members of the city  
11 council shall serve for terms of four years and until their respective successors are elected  
12 and qualified. No person shall be eligible to serve as mayor or councilmember unless that  
13 person shall have been a resident of the city for 12 months prior to the date of the election  
14 of the mayor and members of the council and each shall continue to reside therein during  
15 that period of service and to be registered and qualified to vote in municipal elections of  
16 this city."

**SECTION 2.**

Said Act is further amended by revising Section 5.11 as follows:

**"SECTION 5.11.**

Regular elections; time for holding.

The mayor and five councilmembers elected at the general municipal election in November, 2009, shall serve for and during the four-year terms for which they were elected and until their successors are elected and qualified. Of those five persons elected as councilmembers at the general municipal election in 2013, the three elected councilmembers who received the least number of votes shall serve for terms of two years each and until their respective successors are elected and qualified. The two elected councilmembers who received the highest number of votes in the November, 2013, general municipal election and the mayor elected at the November, 2013, general municipal election shall serve for terms of four years each and until their respective successors are elected and qualified. All shall take office on the first day of January following their elections. Thereafter, all successors to the mayor and five councilmembers shall serve for terms of four years each and until their respective successors are elected and qualified, and all shall take office on the first day of January following their elections."

**SECTION 3.**

Said Act is further amended by revising Section 5.14 as follows:

**"SECTION 5.14.**

Election of councilmembers by plurality vote.

Councilmembers shall be elected from the city at large. In general elections in which there are two council seats up for election, the two persons receiving the most votes cast for the offices of councilmembers shall be elected to fill the positions for councilmembers. In general elections in which there are three council seats up for election, the three persons receiving the most votes cast for the offices of councilmembers shall be elected to fill the positions for councilmembers."

**SECTION 4.**

All laws and parts of laws in conflict with this Act are repealed.